

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

SCOTT C. SMITH,

Plaintiff,

v.

LT. GREY, *et al*,

Defendants.

Case No. C07-5108FDB-KLS

ORDER DENYING PLAINTIFF'S
MOTION TO FOR
RECONSIDERATION

This matter has been referred to Magistrate Judge Karen L. Strombom pursuant to 28 U.S.C. § 636(b)(1), Local Magistrates Rules MJR 3 and 4, and Rule 72 of the Federal Rules of Civil Procedure. Plaintiff has been granted *in forma pauperis* status in this matter. (Dkt. #7). This matter is before the Court upon plaintiff's filing of An *ex parte* motion for reconsideration (Dkt. #10) of the Court's order (Dkt. #7) denying his motion to pay the filing fee from his personal prison savings account (Dkt. #6). After reviewing plaintiff's motion, the Court does hereby find and ORDER:

Local Rule CR 7 states:

Motions for reconsideration are disfavored. The court will ordinarily deny such motions in the absence of a showing of manifest error in the prior ruling or a showing of new facts or legal authority which could not have been brought to its attention earlier with reasonable diligence.

Plaintiff, however, has not submitted any new facts or legal authority which could not have been brought to the Court's attention earlier, nor has he shown any manifest error in the Court's prior ruling. Plaintiff claims that the denial of his motion is unfair and prejudicial to him, but the Court's order regarding the repayment of the filing fee simply mirrors the requirements of 28 U.S.C. § 1915, which are applied to all

1 prisoners who seek to proceed with their cases *in forma pauperis*.

2 Accordingly, plaintiff's *ex parte* motion for reconsideration (Dkt. #10) hereby is DENIED.

3 The Clerk is directed to send copies of this Order to plaintiff.

4 DATED this 10th day of May, 2007.

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8 Karen L. Strombom
9 United States Magistrate Judge
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